

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Figure 1 is a schematic representation of the experimental design. It consists of five panels arranged in a sequence. Each panel shows a subject in a room with a screen displaying a target. The panels are labeled 1 through 5. Panel 1 shows the subject in a room with a screen displaying a target. Panel 2 shows the subject in a room with a screen displaying a target. Panel 3 shows the subject in a room with a screen displaying a target. Panel 4 shows the subject in a room with a screen displaying a target. Panel 5 shows the subject in a room with a screen displaying a target.

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UNITED STATES OF AMERICA,

Plaintiff,

V.

Robert RAMIRES-Chincoya,

Defendant

Magistrate Docket No.

'08 MJ 1186

COMPLAINT FOR VIOLATION OF:

**Title 8, U.S.C., Section 1326
Deported Alien Found in the
United States**

The undersigned complainant, being duly sworn, states:

On or about **April 15, 2008** within the Southern District of California, defendant, **Robert RAMIRES-Chincoya**, an alien, who previously had been excluded, deported and removed from the United States to **Mexico**, was found in the United States, without the Attorney General or his designated successor, the Secretary of the Department of Homeland Security (Title 6, United States Code, Sections 202(3) and (4), and 557), having expressly consented to the defendant's reapplication for admission into the United States; in violation of Title 8 United States Code, Section 1326.

And the complainant further states that this complaint is based on the attached statement of facts, which is incorporated herein by reference.

SIGNATURE OF COMPLAINANT
James Trombley
Senior Patrol Agent

SWORN TO BEFORE ME AND SUBSCRIBED IN MY PRESENCE, THIS **17th DAY OF APRIL 2008**

Barbara L. Major
UNITED STATES MAGISTRATE JUDGE

CONTINUATION OF COMPLAINT:
Robert RAMIRES-Chincoya

PROBABLE CAUSE STATEMENT

On April 15, 2008, at approximately 12:50 p.m., a citizen telephoned the Imperial Beach Border Patrol Station reporting that he observed a group of possible undocumented aliens getting into a vehicle near the intersection of Hollister St. and Tocayo Ave. This intersection is approximately three miles west of the San Ysidro, California Port of Entry and approximately two miles north of the United States/Mexico International boundary.

Agents in the field were advised via service radio and Border Patrol Agent S. Hawkins responded. Upon arriving in the area, Agent Hawkins made contact with the citizen who reported the incident. Agent Hawkins was advised that the vehicle was traveling northbound Hollister St. Agent Hawkins then followed the vehicle zone and performed a traffic stop.

Agent Hawkins approached the vehicle and identified himself as a Border Patrol Agent to the occupants. Agent Hawkins conducted an immigration inspection on each of the occupants of the vehicle. The driver of the vehicle admitted to being a citizen and national of Mexico who possessed a Permanent Resident Alien Card. All three passengers, including one later identified as the defendant **Robert RAMIRES-Chincoya**, admitted to being citizens and nationals of Mexico without any immigration documentation that would allow them to enter or remain in the United States legally. Each of the individuals in the vehicle, including the defendant, were arrested at approximately 1:00 p.m. and transported to the Imperial Beach Border Patrol Station for processing.

Routine record checks of the defendant revealed a criminal and immigration history. The defendant's record was determined by a comparison of his criminal record and the defendant's current fingerprint card. Official immigration records of the Department of Homeland Security revealed the defendant was previously deported to Mexico on or about April 11, 2008. These same records show that the defendant has not applied for permission from the Attorney General of the United States or his designated successor, the Secretary of the Department of Homeland Security, to return to the United States after being removed.

The defendant was advised of his Miranda rights. The defendant stated that he understood his rights and was willing to answer questions without an attorney present. The defendant admitted that he is a citizen and national of Mexico illegally present in the United States. The defendant further admitted that he had been previously deported from the United States and has not applied or requested permission to re-enter the United States legally.